

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT C. WILSON; TIMOTHY
J. WATTS; CHRISTOPHER T.
CALLAGHAN and PAMELA
BURT, Individually,

Plaintiffs,

-vs-

Case No. 03-72154
Hon: AVERN COHN

TYCO INTERNATIONAL LTD., a foreign
corporation; TYCO INTERNATIONAL (U.S.),
INC., a domestic corporation; TYCO ACQUISITION
CORP., VII, a Nevada corporation; and EARTH
TECH EMS HOLDINGS, INC., a Nevada
corporation d/b/a EARTH TECH, Jointly
and Severally,

Defendants.

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ORDER

On January 27, 2006 the Court entered an order styled Order Denying Motions Without Prejudice. Defendants have moved for reconsideration. Plaintiffs have responded. The motion is DENIED.

Once discovery is completed in all respects the Court is to be advised so that it may schedule a pretrial conference to chart the future course of the case, *i.e.*, whether further consideration of motions for summary judgment or the preparation of the joint pretrial statement is more appropriate. The draft of the statement of undisputed material facts

suggests by its length and complexity that all of the issues in the case are not likely to be resolved by summary judgment and that trial is inevitable unless the case is settled.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: February 15, 2006

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 15, 2006, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager
(313) 234-5160